

AMENDED IN ASSEMBLY MAY 3, 2012

AMENDED IN ASSEMBLY APRIL 9, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1505

Introduced by Assembly Member Pan

(Principal coauthor: Senator Kehoe)

(Coauthors: Assembly Members *Allen, Atkins, Fletcher, and Hill*)

(Coauthor: Senator Lieu)

January 11, 2012

An act to add Section 711 to the Military and Veterans Code, relating to veterans.

LEGISLATIVE COUNSEL’S DIGEST

AB 1505, as amended, Pan. Department of Veterans Affairs: veterans’ ~~benefits~~. *benefits: reinstatement.*

Existing law establishes the Department of Veterans Affairs, which is responsible for administering various programs and services for the benefit of veterans.

This bill would provide that if the federal government acts to reinstate benefits to discharged veterans, as specified, who were denied those benefits solely on the basis of sexual orientation pursuant to any federal policy prohibiting homosexual personnel from serving in the Armed Forces of the United States, the state shall reinstate to those veterans any state-offered benefits, as provided.

This bill would require the Department of Veterans Affairs to provide Internet resources, Internet links, and print materials, as provided, regarding veterans’ legal services organizations that specialize in military discharge upgrades.

~~This bill would require the Department of Veterans Affairs to provide qualified benefits for qualified veterans. This bill would define the term “qualified benefits” to mean a benefit, including, but not limited to, certain items, that is administered by the Department of Veterans Affairs, and would define the term “qualified veteran” to mean any person who served in the Armed Forces of the United States and who meets specified conditions relating to separation from the Armed Forces of the United States. This bill would require the qualified veteran to provide documentation to the Department of Veterans Affairs relating to separation from the Armed Forces of the United States in a form and manner as prescribed by the Department of Veterans Affairs.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. *The Legislature finds and declares all of the*
2 *following:*

3 (a) *It is the intent of the Legislature to extend fair and equal*
4 *treatment with regard to the administration of veterans’ services*
5 *and programs to California’s veteran population regardless of*
6 *sexual orientation.*

7 (b) *It is the intent of the Legislature to respond to any federal*
8 *reinstatement of benefits for discharged veterans, regardless of*
9 *their discharge status, who were denied those benefits because of*
10 *any federal policy prohibiting homosexual personnel from serving*
11 *in the United States Armed Forces, by reinstating state-offered*
12 *benefits for the same veterans.*

13 SEC. 2. *Section 711 is added to the Military and Veterans*
14 *Code, to read:*

15 711. (a) *If the federal government acts to reinstate benefits to*
16 *discharged veterans, regardless of their discharge classification,*
17 *who were denied those benefits solely on the basis of sexual*
18 *orientation pursuant to any federal policy prohibiting homosexual*
19 *personnel from serving in the Armed Forces of the United States,*
20 *the state shall reinstate to those veterans any state-offered benefits*
21 *they were denied due to those federal policies.*

22 (b) *To the extent practicable, the department shall do the*
23 *following:*

1 (1) *On the department's Internet Web site, provide Internet*
2 *resources or links to Internet resources that provide information*
3 *regarding veterans' legal services organizations that specialize*
4 *in military discharge upgrades.*

5 (2) *In the department's offices and walk-in locations, provide*
6 *printed resources, to the extent available, created by veterans'*
7 *legal services organizations that specialize in military discharge*
8 *upgrades.*

9 ~~SECTION 1. Section 711 is added to the Military and Veterans~~
10 ~~Code, to read:~~

11 ~~711. (a) The Department of Veterans Affairs shall provide~~
12 ~~qualified benefits for qualified veterans.~~

13 ~~(b) For purposes of this section, both of the following shall~~
14 ~~apply:~~

15 ~~(1) "Qualified benefits" means a benefit that is administered by~~
16 ~~the Department of Veterans Affairs, including, but not limited to,~~
17 ~~any of the following:~~

18 ~~(A) College tuition fee waivers for veterans' dependents.~~

19 ~~(B) Nonresident college fee waiver.~~

20 ~~(C) Disabled veteran business enterprise opportunities.~~

21 ~~(D) Veterans Homes of California.~~

22 ~~(E) Motor vehicle registration fee waiver.~~

23 ~~(F) Disabled veteran license plates.~~

24 ~~(G) Free license plates.~~

25 ~~(H) Veterans preference in California civil service examinations.~~

26 ~~(I) State of California Veterans Cemetery.~~

27 ~~(J) Fishing and hunting licenses.~~

28 ~~(K) Employment and unemployment insurance assistance.~~

29 ~~(L) Farm and home loans.~~

30 ~~(M) State parks and recreation pass.~~

31 ~~(N) Business license tax waiver.~~

32 ~~(O) Property tax exemptions.~~

33 ~~(2) (A) "Qualified veteran" means any person who served in~~
34 ~~the Armed Forces of the United States, who was separated from~~
35 ~~the Armed Forces of the United States solely on the basis of sexual~~
36 ~~orientation pursuant to any federal policy prohibiting homosexual~~
37 ~~personnel from serving in the Armed Forces of the United States~~
38 ~~and not as a result of any other violation.~~

39 ~~(B) The definition of "qualified veteran" provided by this~~
40 ~~paragraph shall apply regardless of the classification of separation~~

1 from the Armed Forces of the United States executed by the federal
2 government.

3 ~~(e) The qualified veteran shall provide documentation to the~~
4 ~~Department of Veterans Affairs relating to separation from the~~
5 ~~Armed Forces of the United States, including, but not limited to,~~
6 ~~a DD form 214, in a form and manner as prescribed by the~~
7 ~~Department of Veterans Affairs.~~

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